

94-270 COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES

Chapter 1: PROCEDURES

**SUMMARY:** This Chapter describes the nature and operation of the Commission, and establishes procedures by which the Commission's actions will be governed.

SECTION 7. EXPENDITURES

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10. **Press exemption.** In order for the costs of preparing and disseminating a news story, commentary, or editorial to be exempt from the definitions of expenditure under the press exemption [ §§ 1012(3)(B)(1) & 1052(4)(B)(1) ], the following criteria must be met:

- a. the names of the persons or entities who own, control and operate the broadcasting station or publication are identified within the publication or otherwise made known to the public;
- b. none of the individuals or entities described in paragraph a of this subsection is being compensated for or reimbursed for expenditures by a candidate, candidate's authorized campaign committee, political party, political action committee, or ballot question committee, or their agents, except in exchange for providing advertising time or space to the candidates or committees; and
- c. the broadcasting station or publication is not owned or controlled by any political party, political committee (including a candidate's authorized campaign committee, political action committee or ballot question committee), candidate or candidate's immediate family.

In addition to the above criteria, to qualify as a periodical publication, including one in electronic form on the Internet, or a newspaper or magazine, a publication (i) must have been disseminating news stories, commentaries or editorials on a variety of topics to the general public on a periodic basis for at least the previous twelve months, or (ii) must have a record of disseminating news stories, commentaries or editorials on a variety of topics to the general public that objectively indicates that the publication will continue to be published on a periodic basis beyond the election cycle during which the press exemption is claimed.